

AUG 03 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

CESAR HUMBERTO ZUNIGA-
CARMONA, et al.;

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-70539

Agency Nos. A75-752-612
A75-752-613
A95-315-387

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 24, 2006 **

Before: ALARCÓN, HAWKINS, and THOMAS, Circuit Judges.

Cesar Humberto Zuniga-Carmona, his wife, Maria Estella Carmona De
Zuniga, and their daughter, Sandra Janet Zuniga-Carmona, natives and citizens of
Mexico, petition for review of the Board of Immigration Appeals' ("BIA") order

* This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

denying their motion to reconsider its prior order affirming without opinion an immigration judge's ("IJ") denial of relief. We deny in part and dismiss in part the petition for review.

Petitioners have waived any challenge to the BIA's order denying their motion for reconsideration by failing to raise any arguments in their opening brief challenging that order. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259-60 (9th Cir.1996) (issues which are not specifically raised and argued in a party's opening brief are waived).

We lack jurisdiction to consider Petitioners' arguments related to the BIA's underlying order affirming the IJ's denial of cancellation of removal, because Petitioners failed to timely petition this court for review of that decision. *See id.* at 1258.

PETITION FOR REVIEW DENIED in part; DISMISSED in part.